

**Oroville Facilities Relicensing
Federal Energy Regulatory Commission Project No. 2100
Draft Summary of the Plenary Group Meeting
May 20, 2003**

The Department of Water Resources hosted a meeting for the Plenary Group on May 20, 2003 via conference call. A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Work Group Meeting Abstracts
Attachment 4	Plenary Roster

Welcome and Introductions

Attendees were welcomed to the Plenary Group meeting and introduced themselves and their affiliations. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively.

The Facilitator informed the participants that Susan Guerra, representing Patrick Porgans, was tape-recording the meeting. Ron Davis, representing the California Horseman's Association, asked if it was agreed at the March 25, 2003 Plenary Group meeting that the May 20 Plenary Group meeting would be via conference call. The Facilitator stated that in an attempt to make the most efficient use of time, the group had agreed that the type of meeting would be based on the agenda needs. The participants reviewed the agenda and objectives were discussed.

Nan Nalder, representing the State Water Contractors, asked if anyone from the Federal Energy Regulatory Commission was in attendance. Rick Ramirez with DWR informed the group that FERC was not represented at the meeting; however, he and the Facilitator had spoken with FERC staff a couple of days prior and will be able to address the FERC topic included on the agenda later.

Process Update

Where We Are in the Process

Mark Andersen with DWR provided the group with an update on where we are in the relicensing process. He informed participants that the April 28 deadline for submitting comments on Scoping Document 2 has been extended 30 days based on a request from Eric Theiss with the National Marine Fisheries Service. Mark stated that DWR has received 10 to 12 comment submittals to date and that comments received will be posted on DWR's relicensing web site. Rick Ramirez added that the new deadline is May 28 and is a general extension to all. Roger Masuda, representing Butte County, asked if DWR would be responding to the comments received. Rick replied that comments would be addressed in the Preliminary Draft Environmental Assessment.

Roger Masuda asked for an update on the cumulative impact guidance document and further talks with resource agencies. Rick Ramirez responded that the guidance document developed by a task force of the Environmental Work Group that included NOAA Fisheries and US Fish and Wildlife and accepted by the collaborative has not been changed although it was ultimately not agreed to by the federal fisheries agencies. He added that two guidance letters from NOAA and FWS were received and DWR had met with representatives to discuss the approach to cumulative impacts

analysis. Roger expressed his interest in any further discussions about the guidance document, as there is specific language Butte County would like to review. Rick agreed to notify Butte County if and when the Task Force is reconvened.

Mark Andersen proposed that the June 2003 Plenary Group meeting be replaced with a Modeling Workshop. DWR's Modeling Coordinator, Curtis Creel, is developing a one-day workshop to present and discuss the operations models that will assist in the evaluation of project effects. The Facilitator added all collaborative participants will receive notice and that the workshop will provide an opportunity to follow a 'benchmark' scenario through the operations models and see what the output will look like. The workshop would be held on June 24, 2003 from 9:30 a.m. to 3:30 pm., and is tentatively scheduled at the Kelly Ridge Meeting room. Ron Davis asked if there would be a June Plenary Group meeting and the Facilitator responded that the workshop could replace the June 2003 Plenary Group meeting or a portion of the workshop could be set aside for Plenary Group business if something needs to be done in June. Mark Andersen reminded the participants that there were diverse viewpoints at the last Plenary Group meeting with several participants suggesting the Plenary Group move to less frequent (perhaps quarterly) meetings while the work groups are developing their recommendations. Mark added that the Modeling Workshop would be a good hands-on experience for all participants. The Facilitator suggested the June meeting be revisited later in the meeting under 'Next Steps'.

Process Protocol Task Force Update

Sharif Ebrahim, with the consulting team, provided the group with an update on the Process Task Force April 25, 2003 meeting. He informed participants that the task force discussed Settlement Process Protocols and they received an update from DWR on the PDEA.

The Task Force was tasked with considering any necessary changes to the protocol regarding meeting summaries and the meeting cancellation policy. The Task Force recommends DWR send e-mail to those requesting notification of meeting summary availability when meeting summaries are posted on the DWR relicensing web site. Regarding meeting cancellations, the Task Force recommends a notice be sent as soon as possible to the distribution list and meeting information posted on the web site be kept as current as possible. Ron Davis asked that a few copies of the preceding Plenary Group meeting summary be brought to the next Plenary Group meeting for distribution to the few participants who do not have e-mail. Rick Ramirez agreed that DWR would provide a few hard copies of Plenary Group meeting summaries. Ron also requested to be notified by telephone when meetings are cancelled. The Facilitator agreed to call Ron when meetings are cancelled. The participants agreed to the recommendations from the Task Force.

Sharif also informed the Plenary Group that Task Force members agreed to hold task force meetings every other month, with the next meeting scheduled to take place on June 11.

Rick Ramirez added that Task Force members felt comfortable with DWR and DWR consultants taking a lead in preparing and presenting draft work products to the task force for consideration. He added that Negotiating Protocols would be appended to the existing Process Protocols.

Work Group Meeting Abstracts

The Facilitator informed the group that abstracts covering work group meetings held since the last Plenary Group meeting will be posted on DWR's relicensing web site and that copies of the aforementioned abstracts would be brought to the next Plenary Group meeting. Abstracts are provided as Attachment 3 to this summary. Participants were reminded that complete work group meeting summaries are posted on the relicensing web site.

Action items – March 25, 2003 Plenary Group Meeting

The Facilitator reviewed the status of the action items from the March 25, 2003 Plenary Group meeting.

- Action Item #P122:** Develop a roster that identifies participant, primary representative(s), and ultimate decision-maker.
Responsible: DWR/Consulting Team
Status: The Facilitator prepared a Plenary Group roster that will be distributed to the group so they can provide the name of their affiliations' ultimate decision maker. The Facilitator used her "Attendees List" to compile the roster, which includes the following categories: name of participant, primary representative (those typically attending the meetings), alternate representative, phone number and e-mail address for the primary representative, and ultimate decision maker. The roster will be distributed to the group via e-mail. A copy of the Plenary Roster is included at Attachment 4 to this summary.
- Action Item #P123:** Develop placards for primary representatives of participants to use during call for consensus.
Responsible: DWR/Consulting Team
Status: The consulting team is working on the placards. The Facilitator described the placard as being a folded, stiff placard to be placed before the primary participant representative at the table. She added that the placards would be available for the next Plenary Group meeting.
- DC Jones, a resident of Oroville, asked if a placard would be made for public participants. The Facilitator replied that they would have a placard. Ron Davis asked if there had been a resolution on the issue of those participants "wearing two hats." The Facilitator responded that they would have to decide which group they were representing at a particular meeting. She added that she identified the primary representative based on the meeting sign-in sheets.
- Action Item #P124:** Investigate and report on the potential for FERC to attend a Plenary Group meeting to explain enforcement of license compliance issues.
Responsible: Rick Ramirez
Status: Rick Ramirez and the Facilitator spoke with staff from FERC and were informed that while they could offer some general discussion on the subject of compliance, the FERC representative could not discuss issues subject to current FERC proceedings. A FERC representative will arrange to attend the July 29, 2003 Plenary Group meeting.
- Action Item #P125:** Inform Plenary Group distribution list about April meeting cancellation.
Responsible: DWR
Status: Completed
- Action Item #P126:** Confirm format needs for May agenda items based on plenary activities.
Responsible: DWR/Facilitator
Status: Agenda items identified were such that a conference call was considered appropriate.

Next Steps

The Facilitator reminded the participants that the Modeling Workshop scheduled for June would take up most, if not all, of the Plenary Group meeting time. She asked the participants if there were any issues they felt could not be deferred to until July 2003.

Ron Davis inquired whether there was resolution to the issues raised by Patrick Porgans and suggested the Plenary Group needed more time to discuss issues related to the health of the collaborative. The Facilitator reminded participants that time was set aside at two separate meetings instead of the original plan to discuss issues raised by Patrick at only one meeting. The Facilitator added that a number of things were accomplished, including resolution of the consensus issue with the decision to develop rosters and placards.

Cathy Hodges, representing Equestrian Trail Riders/Hikers, suggested that at least two hours are needed to discuss issues of concern to her and added that if two hours did not prove to be enough, then more time should be added. The Facilitator suggested that participants submit to her in writing their specific issues for consideration of further Plenary Group discussion. As per the Process Protocols, the Plenary Group will review and consider the items under Next Steps for future agenda items. She also agreed to contact Patrick Porgans to determine any outstanding issues. Ron Davis asked if it would be beneficial to provide ideas for resolutions along with the issue and the participants agreed that potential solutions would be helpful.

Roger Masuda mentioned that Butte County submitted five Resource Action Proposals and asked what process DWR is using to track the proposals received. Rick Ramirez replied that the DWR Resource Area Managers were cataloging the proposals and compiling them into one document to be distributed to the Plenary Group. Mark Andersen projected that the preliminary list would be available for distribution in July.

Cathy Hodges inquired about an instruction sheet to assist in the development of Resource Action Information Forms. The Facilitator responded that an instruction sheet has been drafted and will be distributed to stakeholders in lieu of the proposed workshop under consideration. She will confirm this with Doug Rischbieter of DWR.

The participants agreed to devote the entire June Plenary Group meeting to the Modeling Workshop. The distribution list will be notified and the web site updated. The participants agreed on the following Plenary Group meeting date/time:

Date: July 29, 2003
Time: 4:00 to 10:00 PM
Location: To be determined

Action Items

The following action items identified by the Plenary Group include a description of the action, the participant responsible for the action, and the due date.

Action Item #P127:	Send e-mail to those requesting notification of meeting summary availability when meeting summaries are posted on the DWR relicensing web site. A few hard copies of the preceding Plenary Group meeting summary will be available at each Plenary Group meeting.
Responsible:	DWR
Due Date:	By request; on-going.

Action Item #P128: Upon meeting cancellation, a notice will be sent as soon as possible to the distribution list and meeting information posted on the web site will be kept as current as possible. Ron Davis will be called.
Responsible: DWR/Facilitator
Due Date: On-going

Action Item #P129: Review draft roster and provide Facilitator with any revisions including name of Ultimate Decision Maker.
Responsible: Participants
Due Date: July 29, 2003

Action Item #P130: Contact Patrick Porgans to determine if there are any outstanding issues.
Responsible: Facilitator
Due Date: July 29, 2003

Action Item #P131: Confirm distribution of Information Sheet to assist in development of Resource Action Information Forms.
Responsible: Facilitator
Due Date: June 24, 2003

Action Item #P132: Provide list of submitted Resource Action Information Forms.
Responsible: DWR/Consulting team
Due Date: July 29, 2003